
Notice of Intent to Adopt a Rule

TITLE 11 CONSUMER PROTECTION DIVISION OF THE OFFICE OF THE ATTORNEY GENERAL

LSA Document #02-110

Under IC 4-22-2-23, the Consumer Protection Division of The Office of the Attorney General intends to adopt a rule concerning the following:

OVERVIEW: The rule will amend 11 IAC 2-6 relating to the fees charged for the telephone privacy list, the form(s) in which the telephone privacy list is provided, and other matters relating to access to the telephone privacy list. Public comments are invited and may be directed to the Office of the Attorney General, Attention: Brent Embrey, Indiana Government Center-South, 402 West Washington Street, Fifth Floor, Indianapolis, Indiana 46204 or by electronic mail to bembrey@atg.state.in.us. Statutory authority: IC 24-4.7-3-7; IC 4-6-9-8.

TITLE 210 DEPARTMENT OF CORRECTION

LSA Document #02-111

Under IC 4-22-2-23, the Department of Correction intends to adopt a rule concerning the following:

OVERVIEW: To amend with numerous incidental and/or substantive changes 210 IAC 6-1-1, 210 IAC 6-2-3, 210 IAC 6-2-4, 210 IAC 6-2-5, 210 IAC 2-6-9, 210 IAC 6-3-1, 210 IAC 6-3-2, 210 IAC 6-3-3, 210 IAC 6-3-4, 210 IAC 6-3-5, 210 IAC 6-3-9, 210 IAC 6-3-10 and 210 IAC 6-3-11. Repeals 210 IAC 6-2-2, 210 IAC 6-2-13 and 210 IAC 6-3-6. Effective 30 days after filing with the secretary of state. Questions or comments on the amendment and adoption may be directed by mail to the Department of Correction, Attention: Legal Services Division, Indiana Government Center-South, 302 West Washington Street, E334, Indianapolis, Indiana 46204 or by electronic mail to visitors@coa.doc.state.in.us. Statutory authority: IC 11-8-2-5(b)(1); IC 31-31-8-2(1).

TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #02-104

Under IC 4-22-2-23, the Natural Resources Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 312 IAC 25, which assists in implementation of IC 14-34 (sometimes referred to as the "Indiana Surface Mining Control and Reclamation Act" or "Indiana SMCRA") that governs surface coal mining and reclamation activities. New definitions would be added. Provisions would be modified and supplemented to address

ground water quality standards. Effective upon approval by the Federal Office of Surface Mining and Reclamation and notice of the approval being published in the Indiana Register. Public questions and comments may be sent to the following address: Division of Hearings, Natural Resources Commission, 402 West Washington Street, Room W272, Indianapolis, Indiana 46204. As alternatives, questions or comments may be made by telephone at (317) 232-4699 or by e-mail at jkane@dnr.state.in.us. Statutory authority: IC 14-10-2-4; IC 14-34-2-1.

TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

LSA Document #02-107

Under IC 4-22-2-23, the Indiana State Board of Animal Health intends to adopt a rule concerning the following:

OVERVIEW: Amends 345 IAC 1-3 concerning requirements for interstate movement of swine within a production system. Amends 345 IAC 3-5.1 concerning pseudorabies control in swine, including change of ownership requirements, swine herd testing requirements, qualified herd requirements, updating matters incorporated by reference, and required depopulation of pseudorabies infected animals. Amends 345 IAC 7-5 concerning exhibition requirements for swine. Makes other changes in laws relating to disease control in swine. Comments may be sent to the Indiana State Board of Animal Health, Attention: Legal Affairs, 805 Beachway Drive, Suite 50, Indianapolis, Indiana 46224 or by electronic mail to ghaynes@boah.state.in.us. Statutory authority: IC 15-2.1-3-19.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-121

Under IC 4-22-2-23, the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends 405 IAC 1-18 to specify the Medicaid reimbursement methodology for Medicare cross-over claims. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.

TITLE 410 INDIANA STATE DEPARTMENT OF HEALTH

LSA Document #02-108

Under IC 4-22-2-23, the Indiana State Department of Health intends to adopt a rule concerning the following:

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OVERVIEW: Amends 410 IAC 15 to remove the 48 hour requirement for authentication of entries in medical records and add requirements regarding appropriate authentication of entries in medical records. Written comments may be submitted to the Indiana State Department of Health, Attention: Office of Legal Affairs, 2 North Meridian Street, Indianapolis, Indiana 46204. Statutory authority: IC 16-21-1-7.

TITLE 440 DIVISION OF MENTAL HEALTH AND ADDICTION

LSA Document #02-105

Under IC 4-22-2-23, the Division of Mental Health and Addiction intends to adopt a rule concerning the following:

OVERVIEW: Amends 440 IAC 5 concerning community care for individuals who are discharged or transferred from state institutions administered by the division of mental health and addiction, to clarify the gatekeeper's role regarding an individual's entry into and discharge from a state institution. Statutory authority: IC 12-8-8-4.

TITLE 440 DIVISION OF MENTAL HEALTH AND ADDICTION

LSA Document #02-106

Under IC 4-22-2-23, the Division of Mental Health and Addiction intends to adopt a rule concerning the following:

OVERVIEW: Amends 440 IAC 9 to establish standards and requirements for community mental health centers and certified managed care providers regarding case management, outpatient services, and medication evaluation and monitoring as part of the required continuum of care for persons needing addiction services, persons with serious mental illness, or children with serious emotional disorders. Statutory authority: IC 12-8-8-4; IC 12-21-2-8; IC 12-21-5-1.5.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #02-115

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: The rule will adopt by reference and amend the 2000 International Building Code as the Indiana Building Code 2003 Edition (675 IAC 13-2.4). Statutory authority: IC 22-13-2-2.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #02-116

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: The rule will adopt by reference and amend the 2000 International Mechanical Code as the Indiana Mechanical Code, 2003 Edition (675 IAC 18-1.4). Statutory authority: IC 22-13-2-2.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #02-117

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: The rule will adopt by reference and amend the 2000 International Fire Code as the Indiana Fire Code, 2003 Edition (675 IAC 22-2.3). Statutory authority: IC 22-13-2-2.

TITLE 675 FIRE PREVENTION AND BUILDING SAFETY COMMISSION

LSA Document #02-118

Under IC 4-22-2-23, the Fire Prevention and Building Safety Commission intends to adopt a rule concerning the following:

OVERVIEW: The rule will adopt by reference and amend the 2000 International Fuel Gas Code as the Indiana Fuel Gas Code, 2003 Edition (675 IAC 25). Statutory authority: IC 22-13-2-2.

TITLE 710 SECURITIES DIVISION

LSA Document #02-103

Under IC 4-22-2-23, the Securities Division intends to adopt a rule concerning the following:

OVERVIEW: Amends 710 IAC 1-14 to revise and streamline the rules governing broker-dealers, including the rules

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pertaining to broker-dealer books and records, examinations, reports, branch offices, and registration requirements. Questions or comments concerning the proposed rule amendments may be directed by mail to Indiana Securities Division, 302 West Washington Street, Room E111, Indianapolis, Indiana 46204 or by electronic mail to bskolnik@sos.state.in.us. Statutory authority: IC 23-2-1-15.

TITLE 760 DEPARTMENT OF INSURANCE

LSA Document #02-109

Under IC 4-22-2-23, the Department of Insurance intends to adopt a rule concerning the following:

OVERVIEW: The department intends to amend 760 IAC 1-27 to conform with P.L.132-2001 and to set fees for preparing certification and clearance letters. Written comments may be submitted to the Indiana Department of Insurance, Attention: Amy Strati, 311 West Washington Street, Suite 300, Indianapolis, Indiana 46204 or e-mail to astrati@doi.state.in.us. Statutory authority: IC 25-1-8-2; IC 27-1-15.6-32; IC 27-1-15.6-33.

TITLE 760 DEPARTMENT OF INSURANCE

LSA Document #02-124

Under IC 4-22-2-23, the Department of Insurance intends to adopt a rule concerning the following:

OVERVIEW: The department intends to amend 760 IAC 1-59 to set filing and implementation requirements for internal grievance procedures. Written comments may be submitted to the Indiana Department of Insurance, Attention: Amy Strati, 311 West Washington Street, Suite 300, Indianapolis, Indiana 46204 or e-mail to astrati@doi.state.in.us. Statutory authority: IC 27-8-28-20; IC 27-13-10-13; IC 27-13-35-1.

TITLE 808 STATE BOXING COMMISSION

LSA Document #02-120

Under IC 4-22-2-23, the State Boxing Commission intends to adopt a rule concerning the following:

OVERVIEW: Revise the fees charged and collected by the commission. Questions or comments concerning the proposed rules may be directed to: Indiana Professional Licensing Agency, Attention: Staff Counsel, 302 West Washington Street, Room E034, Indianapolis, Indiana 46204-2700. Statutory authority: IC 25-1-8-2; IC 25-9-1-2; IC 25-9-1-6.

TITLE 828 STATE BOARD OF DENTISTRY

LSA Document #02-112

Under IC 4-22-2-23, the State Board of Dentistry intends to adopt a rule concerning the following:

OVERVIEW: Adds 828 IAC 0.5-2-5 concerning fees related to approval of sponsors of continuing education. Amends 828 IAC 1-5-1 concerning approval of study clubs as sponsors of continuing education. Adds 828 IAC 1-5-1.5 concerning registration of study clubs as sponsors of continuing education. Amends 828 IAC 1-5-2 concerning approval of organizations or individuals as sponsors of continuing education. Adds IAC 1-5-2.5 concerning registration of organizations or individuals as sponsors of continuing education. Amends 828 IAC 1-6-1 concerning renewal requirements for dental hygienists. Effective 30 days after filing with the secretary of state. Public comments are invited. Statutory authority: IC 25-1-8-2; IC 25-13-1-5; IC 25-13-1-17.2; IC 25-13-2-10; IC 25-14-1-13; IC 25-14-3-12.

TITLE 828 STATE BOARD OF DENTISTRY

LSA Document #02-113

Under IC 4-22-2-23, the State Board of Dentistry intends to adopt a rule concerning the following:

OVERVIEW: Amends 828 IAC 1-3 concerning requirements for licensure by endorsement. Adds 828 IAC 1-3-1.1 and 828 IAC 1-3-1.5. Repeals 828 IAC 1-3-1. Effective 30 days after filing with the secretary of state. Public comments are invited. Statutory authority: IC 25-13-1-5; IC 25-14-1-13.

TITLE 828 STATE BOARD OF DENTISTRY

LSA Document #02-114

Under IC 4-22-2-23, the State Board of Dentistry intends to adopt a rule concerning the following:

OVERVIEW: Amends 828 IAC 0.5-2-3 and 828 IAC 0.5-2-4 concerning fees related to licensure to practice dentistry or dental hygiene. Amends 828 IAC 1-7-1 concerning inactive status for licenses to practice dentistry. Adds 828 IAC 1-7-2 concerning inactive status for licenses to practice dental hygiene. Effective 30 days after filing with the secretary of state. Public comments are invited. Statutory authority: IC 25-13-1-5; IC 25-13-1-17.2; IC 25-14-1-13.

**TITLE 857 INDIANA OPTOMETRIC LEGEND
DRUG PRESCRIPTION ADVISORY
COMMITTEE**

LSA Document #02-123

Under IC 4-22-2-23, the Indiana Optometric Legend Drug Prescription Advisory Committee intends to adopt a rule concerning the following:

OVERVIEW: Amends 857 IAC 2-3-16 regarding the formulary for optometrists. Repeals 857 IAC 2-1-5. Public comments are invited and may be directed to mbina@hpb.state.in.us or the Indiana Optometric Legend Drug Prescription Advisory Committee, 402 West Washington Street, Room W041, Indianapolis, Indiana 46204, Attention: Mark Bina, Director. Statutory authority: IC 25-26-15-13.
